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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/585,669	06/01/2000	Thomas Moran	673-1005	4523	
75	90 08/18/2004		EXAMI	NER	
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P O Box 2786			ART UNIT	PAPER NUMBER	
Chicago, IL 60690-2786			2662		
			DATE MAILED: 08/18/2004	1 8 m	

Please find below and/or attached an Office communication concerning this application or proceeding.

*	Application No.	Applicant(s)				
	09/585,669	MORAN, THOMAS				
Office Action Summary	Examiner	Art Unit				
	Donald L Mills	2662				
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence address				
A SHORTENED STATUTORY PERIOD FOR REPLY THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply If NO period for reply is specified above, the maximum statutory period w - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, however, may a reply be timed within the statutory minimum of thirty (30) days will apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE!	nely filed s will be considered timely. the mailing date of this communication. D (35 U.S.C. § 133).				
Status						
1) Responsive to communication(s) filed on 21 Ju	ıne 2004.					
·						
closed in accordance with the practice under E	closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.					
Disposition of Claims						
4) ☐ Claim(s) 1,3,4,7-20,24-27,29,30 and 32-34 is/a 4a) Of the above claim(s) is/are withdray 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) 1,3,4,7-20,24-27,29,30 and 32-34 is/a 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and/o	wn from consideration. are rejected.					
Application Papers						
9) The specification is objected to by the Examine	ır.					
10)☐ The drawing(s) filed on is/are: a)☐ accepted or b)☐ objected to by the Examiner.						
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.						
	amilier. Note the attached Office	Action of 101111 10-132.				
Priority under 35 U.S.C. § 119						
 12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority document 2. Certified copies of the priority document 3. Copies of the certified copies of the priority application from the International Bureau * See the attached detailed Office action for a list 	s have been received. s have been received in Applicati rity documents have been receive u (PCT Rule 17.2(a)).	ion No ed in this National Stage				
Attachment(s)						
Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948)	4) 🔲 Interview Summary Paper No(s)/Mail Da					
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date		Patent Application (PTO-152)				

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DETAILED ACTION

Claim Rejections - 35 USC § 112

- 1. The following is a quotation of the second paragraph of 35 U.S.C. 112:
 - The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
- 2. Claims 1-17, 27, and 29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 1, 27, and 29, the term "partially" (For example, see claim 1, line 4,) is a relative term which renders the claim indefinite. The term "partially" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

Therefore, the limitation removing users in the subconference from the main conference has been rendered indefinite by the term "partially."

Claim Rejections - 35 USC § 103

- 3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

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4. Claims 1, 3, 4, 7-17, 27, 29, 30, and 32-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beyda et al. (US 6,404,873 B1), hereinafter referred to as Beyda, in view of Ahuja et al. (US 5,689,553), hereinafter referred to as Ahuja.

Regarding claim 1, Beyda discloses providing a user with an option to request a subconference with a subset of other users (Referring to Figure 1, first terminal 14 transmits a subconference call request 28 to the sixth terminal 24. See column 4, lines 33-40,) forming a subconference between the user and the subset of other users (The subconference call subsystem 30 establishes a first subconference call. See column 4, lines 52-54,) and at least partially removing those users in the subconference from the main conference during the subsistence of the subconference (Referring to Figure 2, data router 36 transmits voice data generated from the first terminal 14 and sixth terminal 24 over the first subconference call but not over the main conference call. See column 4, lines 66-67 and column 5, lines 1-3.) Wherein each of the main conference and subconference utilize at least one of a plurality of media types selected from the group consisting of video, audio and data signals (The users of the main conference and subconference utilize video data, voice data, and whiteboard data. See column 5, lines 3-21.)

Beyda does not discloses enabling at least one user in the subconference to select one or more of said media types selected from said group for use in the subconference, independently of the media types used in the main conference.

Ahuja teaches a subconferencing function involving the ability of a certain subset of the entire group of participants involved in a single conference to break away from the conference and confer privately (See column 8, lines 6-12,) and a network blackboard feature (one or more of the media types selected independently of the main conference) in which a certain virtual

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space may be created in the network 10 and communicated to the conferees who may then make certain entrees (See column 8, lines 24-29.)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the network blackboard feature of Ahuja in the subconferencing system of Beyda. One of ordinary skill in the art would have been motivated to do so share confidential information between subconference conferees as taught by Beyda (See column 1, lines 61-66.)

Regarding claim 3, the primary reference further teaches the users in the subconference are prevented from contributing to the main conference but are able to monitor communications in the main conference during the subsistence of the subconference (Voice data generated from first terminal 14 and sixth terminal 24 are transmitted only to participants in the subconference call and voice data from the main conference call is transmitted to all terminals. See column 4, lines 57-62.)

Regarding claim 4, the primary reference further teaches wherein users in the subconference can actively or passively participate in the main conference in at least one of said media types during the subsistence of the subconference (Users in the subconference can utilize whiteboard data from the main conference call which is set off from subconference call whiteboard data by presenting the main conference call whiteboard data in a different color. See column 5, lines 22-26.)

Regarding claim 7, the primary reference further teaches wherein the media types utilized in the main conference include audio and data, and wherein the subconference utilizes data signals (Users in the subconference can utilize video, audio, and whiteboard data from the main conference call. See column 5, lines 22-26.)

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Regarding claim 8, the primary reference further teaches the users in the main conference are presented with a list of the main conference participants (Referring to Figure 1, the conference call subsystem 26 establishes connectivity for the main conference, which is inherently tracked. See column 4, lines 33-34,) the option to request a subconference is provided by enabling a user to select participants from the list (Referring to Figure 1, first terminal 14 transmits a subconference call request 28 to the sixth terminal 24, which inherently must know the users of the network to make such a request. See column 4, lines 33-40,) and wherein a subconference list is generated and presented to the users in the subconference (A text message with the call set-up request is sent from the first terminal user to the sixth terminal user. See column 4, lines 42-46.)

Regarding claim 9 as explained in the rejection statement of claim 1, Beyda discloses all the claim limitations of claim 1 (parent claim). Beyda does not disclose wherein the users in the main conference are presented with the subconference list during the subsistence of the subconference.

Beyda teaches that when a coordinator drops parties from the conference call to establish a subconference call, the other coordinators in the call are able to detect that some parties have been dropped (See column 2, lines 2-5.)

It would have been an obvious choice in design to one of ordinary skill in the art at the time the invention was made to allow users in the main conference to see the list of subconference users. One of ordinary skill in the art at the time the invention was made would have been motivated to do so in order for users to establish subconferences with any user present in the conferencing system.

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Regarding claim 10, the primary reference further teaches the users in the main conference are not presented with the subconference list during the subsistence of the subconference (The subconference call subsystem 30 establishes the call in a manner that is transparent to the other terminals in the main conference call. See column 4, lines 54-57.)

Regarding claim 11, the primary reference further teaches the main conference is formed on a conference bridge to which each of the main conference users is connected (The main conference is routed a data router 36, or by a switch, hub, or bridge where the IP telephony terminals are connected. See column 4, lines 20-26.)

Regarding claim 12, the primary reference further teaches the subconference users remaining connected to the bridge and the subconference is formed by creating a second conference on the bridge simultaneously with the main conference (The subconference call subsystem 30 establishes the call in a manner that is transparent to the other terminals 16, 18, 20, and 22 in the main conference call, which inherently resides on the same data router 36. See column 4, lines 54-57.)

Regarding claim 13, the primary reference further teaches the user(s) to whom the request is addressed have the option of accepting or refusing to join the subconference, and wherein such acceptance or rejection determines whether or not they remain as part of the subset (After transmitting the request to the sixth terminal 24, the subconference call subsystem 30 monitors for an acceptance to the call set-up request which can be accepted or rejected, which inherently determines whether the sixth terminal 24 forms a subconference with the first terminal 14. See column 4, lines 50-52.)

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Regarding claim 14, the primary reference further teaches each user in the subconference is provided with the option to leave the subconference at any time during the subsistence of the subconference (Referring to Figure 5, when a subconference call is established, at any time during the subconference call, any terminal participating in the subconference call can transfer to bi-directional transmission within the main conference call. See column 6, lines 27-30.)

Regarding claim 15, the primary reference further teaches wherein users opting to leave the subconference are automatically returned to full participation in the main conference (Any terminal which can transfer among each of its subconference calls and the main conference call. See column 6, lines 30-34.)

Regarding claim 16, the primary reference further teaches wherein users in the subconference are presented with the option of requesting one or more of the other subconference users to join a nested subconference within the initial subconference (Referring to Figures 3, 4, 5, and 7, the subconference subsystem 30 monitor the main conference call and the first subconference call for a second request to establish a second subconference call. See column 7, lines 6-10.)

Regarding claim 17, the primary reference further teaches wherein the users in the subconference are presented with the option of requesting one or more of the other subconference users to leave said initial subconference and form a new subconference without rejoining the main conference (Referring to Figure 5, the fourth terminal 20 can establish a second subconference call from either the first subconference call or the main conference call. See column 6, lines 14-16.)

Regarding claim 27, Beyda discloses the following:

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Means for generating and maintaining a list of participants in a main conference (The computer terminal of each coordinator of the combined conference call displays the names and telephone numbers of all parties in the call. See column 1, lines 66-67 and column 2, lines 1-2,)

Means for providing a participant with an option to request a subconference with a subset of other users in the list (Referring to Figure 1, first terminal 14 transmits a subconference call request 28 to the sixth terminal 24, which inherently must know the users of the network to make such a request. See column 4, lines 33-40,)

Means for forming a list of participants in a subconference between the participant and the subset of other participants (The list of terminals participating in the subconference must inherently be stored in order for transmission of traffic to be possible,)

Means for at least partially removing those participants in the subconference from the main conference during the subsistence of the subconference (Referring to Figure 2, data router 36 transmits voice data generated from the first terminal 14 and sixth terminal 24 over the first subconference call but not over the main conference call. See column 4, lines 66-67 and column 5, lines 1-3.)

Wherein said main conference is conducted in a plurality of media including video, audio and data (Users in the subconference can utilize video, audio, and whiteboard data from the main conference call. See column 5, lines 22-26.)

Beyda does not discloses wherein said means for providing a participant with an option to request a subconference includes means for enabling said participant to select one or more of said media for use during said subconference, independently of the media types used in the main conference.

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Ahuja teaches a subconferencing function involving the ability of a certain subset of the entire group of participants involved in a single conference to break away from the conference and confer privately (See column 8, lines 6-12,) and a network blackboard feature (one or more of the media types selected independently of the main conference) in which a certain virtual space may be created in the network 10 and communicated to the conferees who may then make certain entrees (See column 8, lines 24-29.)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the network blackboard feature of Ahuja in the subconferencing system of Beyda. One of ordinary skill in the art would have been motivated to do so share confidential information between subconference conferees as taught by Beyda (See column 1, lines 61-66.)

Regarding claim 29, Beyda discloses the following:

Means for forming a main conference between a plurality of users (The conference call subsystem 26 establishes connectivity for the main conference call among the first to sixth terminals. See column 4, lines 33-37,)

Means for providing a user with an option to request a subconference with a subset of other users (Referring to Figure 1, first terminal 14 transmits a subconference call request 28 to the sixth terminal 24, which inherently must know the users of the network to make such a request. See column 4, lines 33-40,)

Means for forming a subconference between the user and the subset of other users (The subconference call subsystem 30 establishes a first subconference call. See column 4, lines 52-54,)

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Means for at least partially removing those users in the subconference from the main conference during the subsistence of the subconference (Referring to Figure 2, data router 36 transmits voice data generated from the first terminal 14 and sixth terminal 24 over the first subconference call but not over the main conference call. See column 4, lines 66-67 and column 5, lines 1-3.)

Wherein said main conference is conducted in a plurality of media including video, audio and data and (Users in the subconference can utilize video, audio, and whiteboard data from the main conference call. See column 5, lines 22-26.)

Beyda does not discloses wherein said means for providing a user with an option to request a subconference includes means for enabling said user to select one or more of said media for use during said subconference, independently of the media types used in the main conference.

Ahuja teaches a subconferencing function involving the ability of a certain subset of the entire group of participants involved in a single conference to break away from the conference and confer privately (See column 8, lines 6-12,) and a network blackboard feature (one or more of the media types selected independently of the main conference) in which a certain virtual space may be created in the network 10 and communicated to the conferees who may then make certain entrees (See column 8, lines 24-29.)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the network blackboard feature of Ahuja in the subconferencing system of Beyda. One of ordinary skill in the art would have been motivated to do so share confidential information between subconference conferees as taught by Beyda (See column 1, lines 61-66.)

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Regarding claim 30, Beyda discloses the following:

Means for presenting to the user an identification of participants in the conference (The computer terminal of each coordinator of the combined conference call displays the names and telephone numbers of all parties in the call. See column 1, lines 66-67 and column 2, lines 1-2,)

Means for enabling the user to generate a request for a subconference with one or more other users participating in the conference (Referring to Figure 1, first terminal 14 transmits a subconference call request 28 to the sixth terminal 24, which inherently must know the users of the network to make such a request. See column 4, lines 33-40,)

Means for forwarding the request to a conference server to which the terminal is connected (The subconference call subsystem 30 receives the call setup request. See column 4, lines 49-50.)

Beyda does not discloses means for enabling the user to select at least one of said media types for use during said subconference, independently of the media types used in the main conference.

Ahuja teaches a subconferencing function involving the ability of a certain subset of the entire group of participants involved in a single conference to break away from the conference and confer privately (See column 8, lines 6-12,) and a network blackboard feature (one or more of the media types selected independently of the main conference) in which a certain virtual space may be created in the network 10 and communicated to the conferees who may then make certain entrees (See column 8, lines 24-29.)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the network blackboard feature of Ahuja in the subconferencing system

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of Beyda. One of ordinary skill in the art would have been motivated to do so share confidential information between subconference conferees as taught by Beyda (See column 1, lines 61-66.)

Regarding claim 32, Beyda discloses a terminal, which comprises:

A display unit for displaying a list of conference participants (An IP telephony-enabled computer inherently has a display for listing the other terminals. See column 4, line 19,)

Input means for enabling a user to generate a subconference request with one or more of the conference participants (The IP telephony-enabled computer inherently has means for inputting a request,)

Means for forwarding this request to a conference server (Referring to Figure 1, the IP telephony-enabled computers are connected via the LAN, which is connected to the data router 36.)

Beyda does not discloses means for enabling the user to select at least one of said media types for use during said subconference, independently of the media types used in the main conference.

Ahuja teaches a subconferencing function involving the ability of a certain subset of the entire group of participants involved in a single conference to break away from the conference and confer privately (See column 8, lines 6-12,) and a network blackboard feature (one or more of the media types selected independently of the main conference) in which a certain virtual space may be created in the network 10 and communicated to the conferees who may then make certain entrees (See column 8, lines 24-29.)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the network blackboard feature of Ahuja in the subconferencing system

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of Beyda. One of ordinary skill in the art would have been motivated to do so share confidential information between subconference conferees as taught by Beyda (See column 1, lines 61-66.)

Regarding claim 33, the primary reference further teaches *terminal in the form of a telephone handset* (Communication devices that are preferably Internet protocol (IP) telephony-enabled computers. See column 4, lines 18-19.)

Regarding claim 34, the primary reference further teaches a terminal in the form of a multimedia terminal (The communication devices are preferably Internet protocol (IP) telephony-enabled computers. See column 4, lines 18-19.)

5. Claims 18-20 and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beyda et al. (US 6,404,873 B1), hereinafter referred to as Beyda in view of Theimer et al. (US 5,812,865), hereinafter referred to as Theimer, and Beyda in view of Ahuja et al. (US 5,689,553), hereinafter referred to as Ahuja,

Regarding claim 18, Beyda discloses a conferencing server, which comprises:

A main conference list memory unit for maintaining a list of the users connected to the server as part of a conference (The computer terminal of each coordinator of the combined conference call displays the names and telephone numbers of all parties in the call. See column 1, lines 66-67 and column 2, lines 1-2.)

Main signal processing means for receiving incoming signals of different media types selected from video, audio and data from the users, processing the signals and generating outgoing signals to the users (The users of the main conference and subconference utilize video

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data, voice data, and whiteboard data which is mixed by the data mixer 34 and outputted to the members of the conference. See column 5, lines 3-21)

A main control unit for controlling the main conference list memory unit and the main signal processing means (The data router 36 provides routing function for network traffic on the LAN. See column 4, lines 23-24.)

A subconference list memory unit for maintaining a list of a subset of the users (The computer terminal of each coordinator of the combined conference call displays the names and telephone numbers of all parties in the call. See column 1, lines 66-67 and column 2, lines 1-2.)

Subconference signal processing means for generating outgoing signals to the subset of users, wherein the signals generated by the subconference signal processing means include subconference signals which are not included in the signals generated by the main signal processing means and sent to users outside the subset (The subconference subsystem transmits voice data only to the participants in the first subconference call. See column 4, lines 58-63.)

A subconference control unit for controlling the subconference list memory unit and the subconference signal processing means (The subconference subsystem transmits voice data between the subset and inherently maintains a memory containing the list of users. See column 4, lines 58-63.) Beyda does not disclose the subconference control unit being dynamically programmable causing said subconference signal processing means to generate outgoing signal streams containing a user selected combination of media types selected from the incoming signals for the users subconference.

Theimer selectively establishing communications paths between media devices based on the context of the users. For example, user_A may set up an electronic conference with user_B.

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User_A may specify that a video connection is preferred, and user_A may also accept telephone, or voice only, connection (See column 27, lines 33-46.)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the selective communications path method of Theimer in the system of Beyda. One of ordinary skill in the art would have been motivated to do so in order to provide a system which allows users to select media data paths between users to tailor conferences to a user's capabilities as taught by Theimer (See column 4, lines 10-13.)

Beyda does not discloses a user selected combination of media types selected from the incoming signals from the users subconference, independently of the media types used in the main conference.

Ahuja teaches a subconferencing function involving the ability of a certain subset of the entire group of participants involved in a single conference to break away from the conference and confer privately (See column 8, lines 6-12,) and a network blackboard feature (one or more of the media types selected independently of the main conference) in which a certain virtual space may be created in the network 10 and communicated to the conferees who may then make certain entrees (See column 8, lines 24-29.)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the network blackboard feature of Ahuja in the subconferencing system of Beyda. One of ordinary skill in the art would have been motivated to do so share confidential information between subconference conferees as taught by Beyda (See column 1, lines 61-66.)

Regarding claim 19, the primary reference further teaches the main conference list memory unit and the subconference list memory unit are logical areas within a single memory

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unit (The computer terminal of each coordinator of the combined conference call displays the names and telephone numbers of all parties in the call, which inherently stores the main conference list and subconference list in the same location. See column 1, lines 66-67 and column 2, lines 1-2.)

Regarding claim 20 as explained in the rejection statement of claim 18, the primary references teach all the claim limitations of claim 18 (parent claim). Beyda does not disclose the functions of main signal processing means and subconference signal processing means are carried out by the same signal processing unit.

Beyda teaches a data router **36** provides routing function for network traffic on the LAN (See column 4, lines 23-24,) and a subconference subsystem that transmits voice data only to the participants in the first subconference call (See column 4, lines 58-63.)

It would have been an obvious choice in design to one of ordinary skill in the art at the time the invention was made to integrate the processing of the data router and the subconference subsystem into one signal processing unit. One of ordinary skill in the art would have been motivated to do so because it does not produce unexpected results.

Regarding claim 24, the primary reference further teaches wherein the main control unit includes means for forwarding the list of users in the conference to each of the users (The list of IP telephony terminals is inherently forwarded to all of the terminals in order for the users to establish subconference calls.)

Regarding claim 25 as explained in the rejection statement of claim 18, the primary references teach all the claim limitations of claim 18 (parent claim). Beyda does not disclose wherein the subconference control unit includes means for forwarding the list of the subset of

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user to the subset of users, and optionally to all users on the list maintained in the main conference list memory unit.

Beyda teaches that when a coordinator drops parties from the conference call to establish a subconference call, the other coordinators in the call are able to detect that some parties have been dropped (See column 2, lines 2-5.)

It would have been an obvious choice in design to one of ordinary skill in the art at the time the invention was made to allow users in the main conference to see the list of subconference users. One of ordinary skill in the art at the time the invention was made would have been motivated to do so because presenting entire user listings was well known in the art.

Regarding claim 26, the primary reference further teaches a call server connected to the conferencing server, and means for connecting users to the call server (Referring to Figure 2, the packet-based communications network comprises a data router 36 and a conference call subsystem connecting multiple communication devices on a LAN. See column 4, lines 15-18.)

Response to Arguments

6. Applicant's arguments with respect to claims 1, 3, 4, 7-20, 24-27, 29, 30, and 32-34 have been considered but are most in view of the new grounds of rejection.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donald L Mills whose telephone number is 703-305-7869. The examiner can normally be reached on 8:00 AM to 4:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on 703-305-4744. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Donald L Mills

clu

August 16, 2004

JOHN PEZZLO
PRIMARY EXAMINER

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